



**CHEVY CHASE
VILLAGE
POLICE
DEPARTMENT**

Police Chief: John Fitzgerald

**GENERAL ORDER: 5-6; FIREARMS AND PROTECTIVE
INSTRUMENTS**

DATE: 7/23/2014 Pages: 5 ◇ New ◇ Amended ◆ Rescinds 5-6

CALEA: 1.3.1, 1.3.4, 1.3.5, 1.3.6-c-d, 1.3.9-a-b-c-d-e-f, 1.3.10, 1.3.11-a-b-c, 1.3.12

I. POLICY

Only agency-authorized firearms, ammunition, and protective instruments* authorized shall be carried or used by Chevy Chase Village Police Department sworn personnel either on or off duty.

Officers must carry, handle and use any issued or authorized firearm or protective instrument in accordance with agency General Orders (CALEA 1.3.9)

Unless they are expressly exempted by the Chief of Police, officers shall wear and/or carry all agency-issued firearms and protective instruments while they are on duty.

(***Protective Instruments:** Devices or tools—other than firearms—issued or authorized by the department that are intended to protect the officer or others. These less lethal items include the expandable baton and OC (pepper) spray.)

**II. ISSUANCE OF DEPARTMENT AUTHORIZED
FIREARMS AND PROTECTIVE INSTRUMENTS**

A. Review, Inspection, and Approval Process

1. Department-owned firearms and protective instruments will be inspected by a qualified firearms and protective instrument instructor or armorer prior to issuance to an officer. (CALEA 1.3.9-c)
2. Officers will demonstrate proficiency with firearms and protective instruments and they will be provided with the agency's written policies governing the use of force and the maintenance and use of firearms and protective instruments prior to receiving authorization to carry such item (CALEA 1.3.4, 1.3.12)
3. Officers will not carry any firearm or protective instrument on or off duty without Department approval. (CALEA 1.3.9-a)
4. Officers will keep all authorized firearms and protective instruments clean, free of rust, and in good working condition by regularly inspecting them and performing routine care and maintenance.

nance. Items found to be malfunctioning, unsafe, or deficient will be taken out of service immediately. Any officer discovering a malfunctioning, unsafe or deficient item will notify their supervisors immediately (CALEA 1.3.9-d)

5. Officers are prohibited from making any modifications to any issued or authorized firearm or protective instrument unless approved by the Chief of Police.

6. Ongoing inspections: Firearms will be fully inspected by the Chief, Lieutenant, or Department Armorer prior to each mandatory qualification session, and within one week after qualifying. The Department Armorer will conduct detailed inspections once annually of department issued or approved firearms. (CALEA 1.3.9-c)

III. PROTECTIVE INSTRUMENTS (CALEA 1.3.4)

- A. The expandable baton is a Department authorized impact protective instrument that may be used to respond to resistance/aggression. (CALEA 1.3.1, 1.3.6-c, 1.3.9-a)
- B. Department-issued flashlights are not considered primary impact protective instruments and should only be used in those situations where the expandable baton or other approved protective instruments are unavailable or their use is impractical.
- C. Unless deadly force is justified, officers deploying impact protective instruments will avoid intentionally striking the following body areas:
 - head or facial area
 - back of the neck
 - groin,
 - throat
 - solar plexus
 - kidney, and or
 - the spine.
- D. Folding type knives carried by officers are not authorized as protective instruments but are intended to facilitate emergency rescues from collisions.

- E. The Department authorizes Sabre Red Crossfire Oleoresin Capsicum Pepper Spray (non-flammable).
1. Officers receiving Department-approved training in the use and application of the spray may carry it and use it when verbal commands are ineffective or inappropriate and when physical confrontation may result in an injury to an officer or offender. (CALEA 1.3.1, 1.3.6-d, 1.3.10)
 2. Officers should keep in mind that some environments preclude the use of pepper spray. Target areas for O.C. Pepper Spray are:
 - eyes
 - nose
 - face
 - mouth.
 3. After the spray has been used and the subject is under control and no longer a threat, officers must use appropriate procedures to decontaminate the person. Officers will seek medical attention for any injuries or suspected injuries and ensure that medical attention is not withheld from a person in need of such attention whether requested or not. (CALEA 1.3.5)
 4. A defendant sprayed with pepper spray during an arrest situation will be fully processed at the CPU and officers shall complete all appropriate documentation.
 5. Once the sprayed individual is under control, officers will place the person in an upright, sitting position and continually monitor for signs of medical distress. Officers will summon EMS immediately if the person shows any signs of distress.

IV. FIREARMS

- A. The agency Firearms Instructor will maintain a record of each firearm approved by the Department for official use. Such records will be placed in CODY RMS and they will include a full description of the firearm, officer assigned, and any modifications and repairs. (CALEA 1.3.9-e)
- B. Sworn police personnel are prohibited from carrying firearms if they engage in the consumption of alcoholic beverages or have consumed alcoholic beverages within the previous six (6) hours, unless specifically authorized by the Chief of Police for specific law enforcement purposes.
- C. Sworn police personnel are prohibited from carrying firearms anytime that they are using a prescribed medication which precludes them from operating a motor vehicle.

V. HANDGUNS

- A. The Department-issued handgun for all sworn police officers shall be the Glock 40 mm, Model 22 and is the only authorized handgun for carry on duty. All ammunition for the Department-issued Glock will be the Speer Gold Dot, 40 S&W 165 grain GDHP or equivalent. (CALEA 1.3.9-a-b)
- B. A handgun is the only firearm that is authorized for off-duty carry by officers. The carrying/wearing of a handgun while off-duty is NOT MANDATORY. Sworn police personnel are authorized to carry a handgun off-duty as long as doing so does not conflict with any other directive or violate any law, statute, or ordinance.
- C. The following handguns are authorized for off-duty use by Chevy Chase Village Police Officers: (CALEA 1.3.9-a)
 1. Beretta Model 92D Centurion, 9mm semi-automatic pistol with Federal Premium 147 grain, hydra-shok, jacketed hollow point ammunition or equivalent. This firearm is authorized for on duty use temporarily for officers hired from the Prince Georges Municipal Academy until they qualify with the Department-issued Glock Model 22.
 2. Other handguns on a case-by-case basis. The caliber must be generally accepted for law enforcement use. Ammunition will be that which is recommended by the manufacturer for the firearm. (CALEA 1.3.9-b)
- D. Officers must supply their own holsters for approved personally-owned handguns for off-duty use.
- E. Prior to carrying a handgun off-duty, officers must present the holster (and the handgun) to a firearms instructor for inspection. *After the inspection, the firearms instructor will make a recommendation of approval/disapproval to the Chief.* The inspection will be done annually, and if the holster is approved *by the Chief*, the firearms instructor will record the make and model of the holster appropriately.
- F. All handguns must be carried in an approved holster. The holster will retain the handgun by means of a retention strap, friction fit, *internal catch*, or other secure method. Fanny packs with appropriate retention devices are authorized, however ankle holsters are prohibited.
- G. Officers are prohibited from carrying any firearm, either on or off duty, in their waistband or in a pocket without a holster.

- H. Off-duty officers who elect to carry a handgun shall also carry their police badge and credentials on their person. Badge and credentials shall be displayed as necessary to readily prove an officer's identity and authority to carry the firearm.
- I. Off-duty handguns shall be carried in a concealed and safe manner and shall not be unnecessarily displayed to the public. Officers wishing to carry off-duty handguns must first register them with the Lieutenant and the officers must have successfully passed a qualification course with the specific handgun approved by the Maryland Police and Correctional Training Commission (MPCTC).
- J. Blue-on-blue situations: To avoid tragic officer-on-officer shootings, whenever an off-duty officer is directed by a uniformed police officer to raise their hands over their head, the challenged officer will immediately comply by raising their arms over their head and crossing them at the wrist with the palms forward and fingers widespread. This is a tentative recognition signal that you are a law enforcement officer.

VI. PATROL RIFLES

- A. **Authorized Patrol Rifles:** The department issued Sig Sauer M400 .223, semi-automatic rifle is a gas operated, magazine fed, shoulder fired rifle authorized for duty use. (CALEA 1.3.9-a)
- B. At the beginning of the rifle program, individual of-
ficers were permitted to carry personally-owned semi-
-automatic AR-15 clones subject to prior approval by
the department armorer and the Chief of Police.
Officers who have been approved to carry personally-
-owned rifles may continue to do so, however, no
additional approvals will be granted now that the
department owns a sufficient number of rifles to
equip all patrol officers.
- C. Officers who are authorized to carry a personally-
owned rifle may, at any time, choose to carry the
Department-issued rifle. If an officer does so, then
they will be required to carry the Department-issued
rifle from that time forward. Additionally, if an of-
ficer's previously-authorized personally-owned rifle
is no longer serviceable for any reason (it is dam-
aged beyond repair; it is sold, lost or stolen), the
officer will no longer be authorized to carry a per-
sonally-owned rifle.
- D. **Ammunition:** Authorized rifle ammunition is as follows: (CALEA 1.3.9-b)
 - 1. **Duty round:** Hornady 62 grain, TAP Barrier .223 caliber ammunition or equivalent is the authorized load for this weapon.

- 2. **Practice and training round:** 55 grain, metal jacketed, .223 caliber ammunition is the authorized practice load for this weapon.

E. Procedures

- 1. The police patrol rifle offers law enforcement officers a supplemental weapon that provides superior accuracy and range than the issued handgun. The patrol rifle may be deployed in all or some of the following roles (this is not an all-inclusive list):
 - As a cover weapon
 - Where standoff is needed or desired (creating distance could mean increased safety and other significant advantages to the officer)
 - High risk vehicle stops
 - Downed citizen or officer extractions
 - Active shooter situations (where immediate intervention / rapid deployment must be implemented to save lives vs. waiting for an ERT response)
 - As a containment weapon, or at protracted situations (i.e.: barricaded gunman, hostage situations, warrant service, fleeing felon, terrorist act, response to criminal sniper, etc.)
 - Any situation where shots have been fired or a firearm is reportedly involved (thereby arriving on scene a level of force equal to or greater than that of the suspect)
- 2. Agency-owned patrol rifles are assigned to individual officers. Officers may elect to purchase their own rifle with prior authorization. These firearms may be secured either at the station or at the officer's home. If stored at the station, rifles will be unloaded prior to being placed in the officer's locker. If stored at the officer's home, it must be secured in accordance with departmental policy. If needed, the officer may request a locking safety device from the department. (CALEA 1.3.9-f)
- 3. Officers trained and certified to carry the patrol rifle are required to carry the rifle in their assigned police car while on duty. Officers will inspect their weapon and ammunition daily prior to carrying it. Only authorized ammunition will be used in both agency- and personally-owned rifles when in training and while on duty. Personally-purchased magazines must be inspected and approved prior to use. Each rifle should be equipped with at least two reliable magazines that have been fired without stoppages numerous times in that particular rifle. Officers are encouraged to store or mark their magazines so that they

remain with the weapon they have proven to be reliable in.

4. Each rifle must be equipped with a reliable, high strength sling, sized to the officer that is carrying that weapon. Slings must be approved prior to use. Slings should be folded against the strong side of the rifle (if possible) and secured with rubber bands or a type of tape that will break away upon pulling. This should be done to ensure that the operation of the rifle is not hindered should the officer have to fire the rifle or conduct immediate action with the sling still retracted. Additionally, retracting of the sling for vehicle deployment helps prevent the sling from catching on anything inside of the vehicle should the officer attempt a rapid retrieval of the rifle and/or egress from the vehicle.
5. All patrol rifles must have, at a minimum, front and rear sights that are able to establish and hold a zero throughout rigorous use. Armorers are permitted to attach a pre-approved close quarters optic up to 3X magnification, however, the officer must have the ability to immediately revert to backup sights. Officers must attend and successfully complete all training with the primary sight to be used and must qualify annually with both sighting systems (primary and backup). If an officer purchases a sighting system for duty use, it must be an approved sight, and one that is able to hold a zero under field conditions. Lighting systems are authorized (with prior approval) as long as the officer's ability to securely hold the weapon is not hindered.
6. The patrol rifle will be kept in an agency-issued or authorized case (soft- or hard-sided) and kept in the trunk of the police car during normal transport. Until deployed, the carbine will be carried "cruiser ready" with a magazine inserted, the chamber empty and the safety engaged. Upon deployment the weapon will be "charged" by loading a round in the chamber with the safety engaged. Upon conclusion of the incident for which the carbine was deployed it shall be returned to "cruiser ready" as soon as practical. (CALEA 1.3.9-f)
7. Officers must have prior authorization from the Chief of Police to make any modifications or additions to agency- or personally-owned patrol rifles. Agency-owned firearms will only be worked on by a departmental certified armorer. If an officer has a personally-owned carbine rifle, the officer will have the option of having a departmental certified armorer or a certified gunsmith perform any authorized work or re-

pairs. If the officer elects to have a certified gunsmith work on his/her rifle, it will be the responsibility of the officer to:

- (a) pay for the work;
 - (b) submit a copy of the receipt outlining the work performed; and
 - (c) forward a copy of the gunsmith's certification(s) to the Chief of Police and the agency armorer.
8. Following every modification or repair (regardless of who did the work), the rifle must first be inspected by the department armorer prior to rifle being carried on duty. The department armorer for rifles will be responsible for keeping maintenance and repair records on each issued/approved rifle. (CALEA 1.3.9-d)

VII. TRAINING/QUALIFICATION

- A. All training must be conducted in accordance with Department policies and the Maryland Police and Correctional Training Commission regulations.
- B. Officers are not authorized to carry any firearm or protective instrument on or off duty until they satisfy all Department training requirements and demonstrate proficiency with the item(s). (CALEA 1.3.10)
- C. Prior to the issuance of a Department-owned firearm or protective instrument to an officer, the Department will ensure that it has been inspected by a qualified instructor or armorer. Any on-duty or off-duty firearm or protective instrument declared unsafe or defective during supervisory or armorer inspections will be removed from service immediately until restored to proper operating condition. (CALEA 1.3.9-d)
- D. At least annually, all officers will receive In-Service training on the Department's use of force response policies and procedures, and must demonstrate proficiency with any approved firearm or protective instrument authorized for use. Officers who fail to meet the Department's standards and those of the MPCTC shall not carry the firearm or protective instrument until such standards are met. The Lieutenant and the Firearms Instructor will maintain a record on each Department approved firearm and protective instrument and In-Service Training. (CALEA 1.3.11-a-b-c)
- E. Proficiency training for all firearms or protective instruments will be monitored by a certified instructor who shall notify the Lieutenant upon completion of the training so that a timely entry can be made in the respective officer's training file. (CALEA 1.3.10, 1.3.11-a-b)

- F. Officers who fail to demonstrate a satisfactory level of proficiency to the instructor will not be permitted to carry that particular firearm and protective instrument until the officer successfully completes remedial training. (CALEA 1.3.11-c)
- G. After qualifications/practice, but prior to going on patrol for their next scheduled work day, officers will clean and lubricate their issued handgun.
- H. Within one week of any qualification or practice, either the Chief, Lieutenant, or Department Armorer will inspect the handgun for cleanliness, lubrication, and functionality.

VIII. STORAGE OF FIREARMS (CALEA 1.3.9-f)

- A. Sworn police personnel to whom a department firearm has been assigned or who otherwise has custody of a department firearm will ensure that the weapon is stored and maintained in a safe manner and in a secure location at all times. At no time will unauthorized persons be allowed access to department firearms.
- B. Unsecured firearms shall not be left in the passenger compartment of any unattended vehicle. Firearms may be secured in a vehicle by any of the following methods:
 - 1. A mounted gun box that is locked,
 - 2. Locked trunk, or
 - 3. Out of sight and secured to the interior of the vehicle with handcuffs or cable lock (firearm must be unloaded).
- C. Officers securing their firearms in a vehicle in accordance with subsection B, above, shall make all reasonable efforts to park the vehicle in close proximity to the officer's location and in such a manner that the vehicle is within the officer's sight or is parked in a well lighted, heavily traveled area if out of the officer's sight.
- D. When secured in a vehicle in accordance with subsection B, above, firearms may be kept in such vehicle only for a short period of time (generally 4 hours or less). Under no circumstances is a firearm to be left in a vehicle overnight or for any extended period of time.
- E. All Village Officers are issued and encouraged to use Child Safe gun locks for the safe storage of their Department-issued firearms when stored in the home. Additional gun locks are available to all personnel for the safe storage of most firearms. (CALEA 1.3.9-f)

- F. Any damage, loss or theft of Village-authorized or Village-owned firearms or protective instruments will be administratively investigated. Officers are subject to discipline if the damage, loss or theft resulted from an officer's deviation from policy or procedure.
- G. Any loss of Village property through officer negligence will become the liability of the individual officer who may be required to pay the replacement cost of items lost or stolen.
- H. Officers are reminded to store their issued firearm in a safe, secure place to prevent unauthorized persons including children from finding the weapon and others from stealing it.
 - ◆ See Maryland Criminal Article 4-104 Weapons Access by Minors
- I. With the exception of the temporary storage (during work hours) of authorized off-duty handguns, employees are prohibited from bringing personally owned firearms or other inherently dangerous items/substances into the Village Hall without prior express authorization from the Chief of Police.